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The Honorable Gary R. Brown
United States District Court for the New York Eastern District
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: Letter Seeking Relation of *Blessinger v. Northrop Grumman, et al.*, No. 2:24-cv-03989-ST (“*Blessinger*”) and *Brzozowski et al v. Northrop Grumman, et al.*, No. 2:24-cv-05285-JS-LGD (“*Brzozowski*”) Pursuant to Rule 3(b) of the Rules for the Division of Business for the Eastern District of New York

Dear Judge Brown,

We represent defendants Northrop Grumman Corporation and Northrop Grumman Systems Corporation (collectively, “Northrop Grumman”) in the matters captioned above. We write to seek a determination under Rule 3(b) that *Blessinger* and *Brzozowski* are related to *Romano v. Northrop Grumman*, No. 2:16-cv-05760-GRB-ST (“*Romano*”) and twenty-three other related and consolidated actions removed to this Court,¹ and request that the cases be assigned to

¹The *Romano* case was removed to this Court in October 2016. The other twenty-three related and consolidated actions removed to this Court include *Ackerman v. Northrop Grumman*, No. 2:18-cv-04397-GRB-ST (“*Ackerman*”) (removed in Aug. 2018); *Cornett v. Northrop Grumman*, No. 2:18-cv-06453-GRB-ARL (“*Cornett*”) (removed in Nov. 2018); *Ackerson v. Northrop Grumman*, No. 2:19-cv-00942-GRB-ST (“*Ackerson*”) (removed Feb. 2019); *Ball v. Northrop Grumman*, No. 2:19-cv-04381-GRB-ST (“*Ball*”) (removed July 2019); *Cammarata v. Northrop Grumman*, No. 20-cv-00511-GRB-ST (“*Cammarata*”) (removed Jan. 2022); *Auer v. Northrop Grumman*, No. 2:21-cv-04426-GRB-ARL (“*Betancourt*”) (removed Aug. 2021); *Cornell-Trotto v. Northrop Grumman*, No. 2:22-cv-00285-GRB-ST (“*Cornell-Trotto*”) (removed Jan. 2022); *Cerza v. Northrop Grumman*, No. 2:22-cv-00584-GRB-ST (“*Cerza*”) (removed Feb. 2022); *Bencal v. Northrop Grumman*, No. 2:22-cv-00982-GRB-ARL (“*Bencal*”) (removed Feb. 2022); *Accardi v. Northrop Grumman*, No. 2:22-cv-01143-GRB-ST (“*Accardi*”) (removed Mar. 2022); *DeGregoris v. Northrop Grumman*, No. 2:22-cv-0001432-GRB-AYS (“*DeGregoris*”) (removed Mar. 2022); *Beganskas v. Northrop Grumman*, No. 2:22-cv-01719-GRB-ST (“*Beganskas*”) (removed Mar. 2022); *Chapman v. Northrop Grumman*, No. 2:22-cv-02070-GRB-AYS (“*Chapman*”) (removed Apr. 2022); *Barletta v. Northrop Grumman*, No. 2:22-cv-02504-GRB-ST (“*Barletta*”) (removed May 2022); *Bland v. Northrop Grumman*, No. 2:22-cv-02780-GRB-ST (“*Bland*”) (removed May 2022); *Agrillo v. Northrop Grumman*, No. 2:22-cv-03199-GRB-AYS (“*Agrillo*”) (removed May 2022); *Alahverdian v. Northrop Grumman*, No. 2:22-cv-03645-GRB-AYS (“*Alahverdian*”) (removed June 2022); *Becker v. Northrop Grumman*, No. 2:22-cv-04777-MKB-ARL (“*Becker*”) (removed Aug. 2022); *Holohan v. Northrop Grumman*, No. 2:22-cv-05441-GRB-ST (“*Holohan*”) (removed Sept. 2022); *DiBenedetto v. Northrop Grumman*, No. 2:22-cv-07353-GRB-JMW (“*DiBenedetto*”) (removed Dec. 2022); *Cannava v. Northrop Grumman*, No. 2:23-cv-01429-GRB-LGD (“*Cannava*”) (removed Feb. 2023); *Ceglio v. Northrop Grumman*, No. 2:23-cv-06599-GRB-ST (“*Ceglio*”) (removed Sept. 2023); and *Coleman v. Northrop Grumman*, No. 2:23-cv-08089-GRB-ST (“*Coleman*”) (removed Oct. 2024) (together with *Romano*, the “*Romano*”



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Your Honor. Your Honor currently presides over all the *Romano* Consolidated Actions. Northrop Grumman removed *Blessinger* to this Court on June 3, 2024, and *Brzozowski* to this Court on July 29, 2024.² Northrop Grumman designated the *Blessinger* and *Brzozowski* cases as related on the civil cover sheets it filed with each cases' Notice of Removal. (See *Blessinger*, ECF No.1-3; *Brzozowski*, ECF No.1-3.) Counsel for the *Blessinger* and *Brzozowski* parties met and conferred, and Plaintiffs' counsel, who also represents all plaintiffs in the *Romano* Consolidated Actions, consented to designating the *Blessinger* and *Brzozowski* cases as related to the *Romano* Consolidated Actions.

Blessinger and *Brzozowski* assert the same claims based on essentially the same underlying allegations as asserted in the twenty-four *Romano* Consolidated Actions. Five of the previous lawsuits were consolidated in February 2020,³ and nineteen were assigned to Your Honor before *Blessinger* and *Brzozowski* were filed.⁴ *Blessinger* and *Brzozowski* involve similar parties, facts, and legal issues as the *Romano* Consolidated Actions, and substantial saving of judicial resources is likely to result from assigning this case to Your Honor. (See Local Rule 3(a).)

Blessinger and *Brzozowski* are each brought on behalf of several individual plaintiffs who also reside or resided in the Bethpage area, and the cases also each assert negligence, strict liability,

Consolidated Actions").

² *Blessinger* was assigned to Magistrate Judge Steven L. Tiscione as part of a Pilot Program governed by Administrative Order 2023-23 of the Eastern District of New York when removed to this Court in June 2024. Administrative Order 2023-23 directs parties to file a written consent form "consenting to the jurisdiction of the Magistrate Judge no more than thirty (30) days following the Rule 16 initial case management conference." To date, no Rule 16 case management conference has been scheduled in *Blessinger* and neither party in *Blessinger* has filed a consent form. If a consent form is not submitted by the relevant date, Administrative Order 2024-23 provides that the Clerk will randomly assign the case to a District Judge. *Brzozowski* was assigned to Judge Joanna Seybert and Magistrate Judge Lee G. Dunst on July 31, 2024. On August 1, 2023, Judge Dunst ordered that the parties submit a joint status report by August 16, 2024, addressing, among other topics, the relatedness of this case to the other *Romano* Consolidated Actions. The parties shall attach this letter to *Brzozowski* joint status report and file the report concurrently with this letter.

³ See *Romano*, 2:16-cv-05760, February 10, 2020 Order Consolidating Cases.

⁴ See *Cornett*, 2:18-cv-06453, March 2, 2020 Order Reassigning Case; *Auer*, No. 2:21-cv-00415, February 8, 2021 Order Reassigning Case; *Betancourt*, No. 2:21-cv-04426, August 12, 2021 Order Reassigning Case; *Cornell-Trotto*, No. 2:22-cv-00285, January 20, 2022 Order Reassigning Case; *Cerza*, No. 2:22-cv-00584, February 1, 2022 Case Assignment; *Bencal*, No. 2:22-cv-00982, February 23, 2022 Case Assignment; *Accardi*, No. 2:22-cv-01143, March 31, 2022 Order Reassigning Case; *Beganskas*, No. 2:22-cv-01719, April 8, 2022 Order Reassigning Case; *Chapman*, No. 2:22-cv-02070, April 12, 2022 Case Assignment; *Barletta*, No. 2:22-cv-02504, May 3, 2022 Case Assignment; *Bland*, No. 2:22-cv-02780, May 13, 2022, Case Assignment; *Agrillo*, No. 2:22-cv-03199, June 1, 2022 Case Assignment; *Alahverdian*, No. 2:22-cv-03645, June 22, 2022 Case Assignment; *DeGregoris*, No. 2:22-cv-01432, June 23, 2022 Case Assignment; *Holohan*, No. 2:22-cv-05441, September 15, 2022 Order Reassigning Case; *Becker*, No. 2:22-cv-04777, December 7, 2022 Order Reassigning Case; *DiBenedetto*, No. 2:22-cv-07353, December 7, 2022 Order Reassigning Case; *Cannava*, No. 2:23-cv-01429, February 24, 2023 Case Assignment; *Ceglio*, No. 2:23-cv-06599, September 7, 2023 Order Reassigning Case; *Coleman*, No. 2:23-cv-08089, November 1, 2023 Order Reassigning Case.

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nuisance, and trespass claims premised on many of the same allegations—sometimes repeating allegations from the complaints in each of the *Romano* Consolidated Actions verbatim. (See *Blessinger* Compl. ¶¶ 16-18 (describing *Blessinger*’s relation to *Romano*); *Blessinger* Compl. ¶¶ 16-18 (same).) Northrop Grumman is named as a defendant in all cases. Moreover, the *Blessinger* and *Brzozowski* plaintiffs appear to be members of *Romano*’s putative classes.

Your Honor is familiar with the issues shared between cases and can help the parties avoid duplication of efforts that otherwise will result in *Blessinger* and *Brzozowski*. Accordingly, we respectfully request that this case be deemed related to the *Romano* Consolidated Actions and assigned to Your Honor.

Respectfully submitted,

/s/David J. Fioccola

David. J. Fioccola

cc: All counsel of record (by ECF).